

**TOWN OF SULLIVAN
ZONING BOARD OF APPEALS
FEBRUARY 11, 2021
7:00 P.M.**

A regular meeting of the Zoning Board of Appeals of the Town of Sullivan was convened at the Town Office Building by Chairman Steve Durfee at 7:00 P.M.

Those in attendance for the meeting were: Members Cliff Reals, Bryan Bendixen, Michael Keville and Attorney for the Board John Langey

Excused: Member Terry Manning

Also present: Building/Codes Inspector Larry Ball

PUBLIC HEARING

7:00 P.M. – JOHN & ROCHELLE SWIETON: AREA VARIANCE (1044 FYLER RD., TAX MAP NO. 32.-1-8) LOT SIZE SQUARE FOOTAGE TO ALLOW TWO FAMILY DWELLING BY CONVERTING AN EXISTING BUILDING INTO AN APARTMENT.

John and Rochelle Swieton appeared before the Board to request an area variance for lot size square footage. The property has 41,000 square feet. To allow two family dwelling the required area is 50,000 square feet. They wish to convert an existing building on the property into a one bedroom apartment for their daughter. The applicant stated the structure had new insulation and sheetrock in 2003 as well as new roof and collar ties in 2004. They plan to hook up to the existing septic system and water from the house. The power has already been connected from the house and the heat will be electric baseboard. They have no plans to separate the property in the future.

Building/Codes Inspector Larry Ball stated that applicants will have to get a septic engineer to look at existing system and leech field to see if it can handle the extra bedroom. County Health Department approval is also necessary. The Zoning schedule setbacks are in compliance with the existing structure.

The Madison County Planning Board returned the application for Local Determination.

The Town of Sullivan Planning Board sees no Town wide adverse effect in granting this application with the condition that the proposed structure shares common septic, water, electric and mailing address. The proposed building must meet current New York State building codes.

No one spoke for or against the application and the public hearing was closed at 7:10 P.M.

NEW BUSINESS

There was no new business.

OLD BUSINESS

JOHN & ROCHELLE SWIETON: AREA VARIANCE (1044 FYLER RD., TAX MAP NO. 32.-1-8) LOT SIZE SQUARE FOOTAGE TO ALLOW TWO FAMILY DWELLING BY CONVERTING AN EXISTING BUILDING INTO AN APARTMENT.

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance addressing each of the factors for approval or denial of the application. No substantial change will be created as the existing structure fits the nature of the neighborhood. If they were to apply for an alternative (subdivision) it would create a non-conforming lot, require more variances and is not feasible. The variance is substantial as 9,000 sq. ft. of relief is needed but is not a determining factor. The alleged difficulty was self-created but this too is not a determining factor.

This application was declared by the Board to be a Type II Action with Negative Declaration for SEQR, thus concluding the environmental review process for this matter.

A motion was duly made by Member Keville, seconded by Member Reals and unanimously passed by the Board that the benefit to the applicant does outweigh any detriment to the Neighborhood and therefore the variance was approved with the following conditions:

1. The proposed residential structure shares common septic, water, electric and mailing address.
2. The renovated structure meets current New York State building codes.
3. The applicants shall demonstrate that the septic system is properly sized for the two-family use.

APPROVAL OF MINUTES

A motion was duly made by Member Keville, seconded by Member Bendixen and unanimously passed by the Board approving the minutes of January 14, 2021.

ADJOURNMENT

A motion was duly made by Member Keville, seconded by Member Bendixen and unanimously passed to adjourn the meeting at 7:20 PM.

Respectfully Submitted
Jeri Rowlingson, Secretary